

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on April 7, 2015.

Mayor Gover presided and called the meeting to order at 6:30 p.m.

Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Dave Cox, YEA Commissioner Sandra Graven, YEA Commissioner Rick Hall, Absent Commissioner Preston Owen, and YEA Mayor Tim Gover.

Also physically present were City personnel: City Administrator Kyle Gill, City Attorney Janett Winter-Black, Finance Director/Treasurer Beth Wright, Public Works Director Dean Barber, Police Chief Jeff Branson, Arts & Tourism Director Angelia Burgett, and City Clerk Susan O'Brien.

CONSENT AGENDA

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting March 17, 2015 and special meeting March 24, 2015; Fire Department report for the month of February, 2015; bills and payroll for the last half of March, 2015.

Bills and Payrolls for the last half of March, 2015

	<u>General Fund</u>		
Payroll		\$	247,448.76
Bills		\$	<u>73,180.73</u>
	Total	\$	320,629.49
	<u>Hotel Tax Administration</u>		
Payroll		\$	3,085.54
Bills		\$	<u>365.60</u>
	Total	\$	3,451.14
	<u>Arts Council</u>		
Bills		\$	<u>579.41</u>
	Total	\$	579.41
	<u>Mobile Equipment Fund</u>		
Bills		\$	<u>26,087.00</u>
	Total	\$	26,087.00
	<u>Insurance & Tort Fund</u>		
Bills		\$	<u>34,253.79</u>
	Total	\$	34,253.79
	<u>Festival Management</u>		
Bills		\$	<u>800.00</u>
	Total	\$	800.00
	<u>Midtown TIF</u>		
Bills		\$	<u>10,000.00</u>
		\$	10,000.00
	<u>Capital Project</u>		
Bills		\$	<u>20,879.48</u>
		\$	20,879.48

Broadway East Bus Dist

Bills	\$	802.50
	\$	802.50

Water Fund

Payroll	\$	107,959.58
Bills	\$	40,967.65
Total	\$	148,927.23

Sewer Fund

Payroll	\$	92,586.09
Bills	\$	53,626.62
Total	\$	146,212.71

Health Insurance Fund

Bills	\$	275,626.47
Total	\$	275,626.47

Motor Fuel Tax Fund

Bills	\$	4,586.19
Total	\$	4,586.19

Mayor Gover opened the floor for comments/ discussion with no response.

Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

PRESENTATIONS, PETITIONS AND COMMUNICATIONS

Mayor Gover opened the floor for Public comment or questions with no response from the Public.

Mayor Gover opened the public hearing for the FY16 Budget at 6:32 p.m. on April 7, 2015 in the City Hall Council Chambers. Administrator Gill reviewed the FY15 General Fund and Water & Sewer Funds; and reviewed the FY16 General Fund Obstacles, Changes/Costs, Budgeted Revenues, Budget Expenditures, Health Insurance Overview, General Fund Overview, Capital Project Fund, Tax Increment Fund Districts, Business Districts, Hotel/Motel Tax Fund, Festival Management Fund, Water & Sewer Funds, and Mobile Equipment Fund (MEF). Administrator Gill noted the budget was online and opened the floor for questions. Mayor Gover opened the floor for questions of the Council or Public. With no questions from the Council or Public, Mayor Gover closed the public hearing at 6:55 p.m.

NEW BUSINESS

Commissioner Graven seconded by Commissioner Cox moved to approve Council Decision Request 2015-1590, awarding the bids for the 2015 Oil & Chip Program [15-00000-00-GM] to:

- Earl Walker Construction for Furnish & Spread Oil (Bituminous) Material in the amount of \$117,300;
- Earl Walker Construction for Spread Aggregate (CA-16) in the amount of \$18,160; and
- Tuscola Builders for Furnish Aggregate (CA-16 Crushed Stone) in the amount of \$22,768.

Mayor Gover opened the floor for comments/discussion with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Commissioner Graven seconded by Commissioner Cox moved to approve Council Decision Request 2015-1591, awarding the bid in the amount of \$118,450.75 to Bartels Construction, Inc. for the Broadway Alley Paving Project.

Mayor Gover opened the floor for questions/comments. Commissioner Hall inquired as to the completion date. Director Barber stated the City's portion would be completed next week with Bartels' completion date of August 31st.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Commissioner Graven seconded by Commissioner Cox moved to approve Council Decision Request 2015-1592, awarding the bid in the amount of \$138,542.75 to Bartels Construction, Inc. for the Oklahoma Avenue Concrete Project.

Mayor Gover opened the floor for questions/comments with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Commissioner Graven seconded by Commissioner Cox moved to approve Council Decision Request 2015-1593, awarding the bid in the amount of \$123,886.29 to Howell Paving, Inc. for the Rudy Avenue Parking Lanes Project (Lake Land Blvd to 9th Street).

Mayor Gover opened the floor for comments/questions/discussion. Commissioner Graven inquired if this was a part of the DCEO grant with Director Barber acknowledging affirmatively.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Commissioner Graven seconded by Commissioner Hall moved to approve Council Decision Request 2015-1594, waiving the bidding requirement and approving the invoice from Bob Fuller in the amount of \$20,000.00 for tree and brush clearing at the Public Works Building site.

Mayor Gover opened the floor for comments/discussion/questions with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Commissioner Cox seconded by Commissioner Graven moved to approve Council Decision Request 2015-1595, approving the employment of Kory Culp to an entry-level Water Treatment Plant Operator position. [effective 04/13/15]

Mayor Gover opened the floor for comments/discussion. Director Barber noted Mr. Culp's attendance at the meeting, provided his background, and expressed the fantastic opportunity for both the City and Mr. Culp.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Mayor Gover and Commissioner Cox welcomed Mr. Culp.

Mayor Gover seconded by Commissioner Hall moved to adopt Special Ordinance No. 2015-1589, authorizing the rezoning of 2201, 2205, 2209, 2213, and 2221 Richmond from R-2 to R-3 to allow an apartment garage to be constructed. Jim & Janice Moritz – Petitioners

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2015-1589

AN ORDINANCE GRANTING REZONING OF 2201-2221 RICHMOND AVENUE

WHEREAS, there has been filed a written Petition for Jim & Janice Moritz requesting rezoning of the property legally described as:

Lots 1, 2, 3, 4, 5 & 6 SE ¼ NE ¼ Sec 14 T 12N R07E, also known as 2201, 2205, 2209, 2213, 2217, & 2221 Richmond Avenue, Mattoon, Illinois.

WHEREAS, said site is zoned R2, One and Two Family Residential, which does not allow the construction of a multiple family residence; and

WHEREAS, the property is well suited for a multiple family residence; and

WHEREAS, the Planning Commission held a public hearing on March 31, 2015, for the City of Mattoon, Coles County, Illinois, and recommended the requested rezoning be granted; and

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve rezoning to R3, Multi-Family Residential, to allow the construction of a multiple family residence at 2221 Richmond.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is granted rezoning of 2201-2221 Richmond Avenue, Mattoon, to R3, Multi-Family Residential.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Section 4. The City Clerk shall make and record a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor Gover, seconded by Commissioner Hall, adopted this 7th day of April, 2015, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,
Commissioner Hall, Mayor Gover
NAYS (Names): None
ABSENT (Names): Commissioner Owen

Approved this 7th day of April, 2015.

/s/Timothy D. Gover
Timothy D. Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

/s/Susan J. O'Brien
Susan J. O'Brien, City Clerk

APPROVED AS TO FORM:

/s/ Janett S. Winter-Black
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on July 7th, 2015.

Mayor Gover opened the floor for comments/discussion. Administrator Gill noted no opposition at the Planning Commission meeting and an additional multi-family dwelling already in the block.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Commissioner Cox seconded by Commissioner Hall moved to adopt Special Ordinance No. 2015-1590, amending the lease agreement with GTP Acquisition Partners II L.L.C. to extend the term of the agreement for a communications tower located at City Hall.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2015-1590

A SPECIAL ORDINANCE AMENDING THE LEASE AGREEMENT WITH GTP AQUISITION PARTNERS II, L.L.C.

WHEREAS, Illinois PCS, L.L.C., an Illinois limited liability company constructed and installed a 180 feet tower consistent with the Option and Lease Agreement; and,

WHEREAS, the City of Mattoon consented to the assignment of all rights and obligations of Illinois PCS, L.L.C. to Global Tower, L.L.C. dated March 27, 2006; and,

WHEREAS, the City of Mattoon has leased or subleased a portion of land to Global Tower, L.L.C., (or any affiliate thereof) under the Option and Lease Agreement; and,

WHEREAS, GTP Acquisition Partners II, L.L.C. is a subsidy of Global Towers, L.L.C.

WHEREAS, the City of Mattoon and GTP Acquisition Partners II, L.L.C. desire to enter into an amendment of the Lease in order to extend the term thereof and to further amend the Lease as more particularly set forth in the Amendment attached hereto as Exhibit "I".

NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Mattoon, Coles County, Illinois as follows:

1. That "The First Amendment to Option and Lease Agreement" (Exhibit "I", attached) be and is hereby approved.
2. That the Mayor and City Clerk be and are hereby authorized to execute Exhibit "I" and any and all other documents necessary to give effect thereto.

BE IT FURTHER ORDAINED that this Special Ordinance shall take effect from and after its passage and approval as provided by law.

Upon motion by Commissioner Cox, seconded by Commissioner Hall, adopted this 7th day of April, 2015, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,
Commissioner Hall, Mayor Gover

NAYS (Names): None

ABSENT (Names): Commissioner Owen

Approved this 7th day of April, 2015

/s/ Timothy D. Gover
Timothy D. Gover, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/Janett S. Winter-Black
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on April 7, 2015.

Mayor Gover opened the floor for comments/discussion/questions with no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Mayor Gover thanked Administrator Gill, Treasurer Wright and the Department Heads for their work on the FY16 budget.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR/ COMMUNITY DEVELOPMENT noted attendance of a Coles County Executive Meeting; preparation of budgets and lease agreement with cell tower company; and met with a franchise developer. Mayor Gover opened the floor for questions with no response.

CITY ATTORNEY had nothing to report. Mayor Gover opened the floor for questions with no response.

CITY CLERK noted an increase in all types of requests; and had low voter turnout with 34 voters in the Office. Mayor Gover opened the floor for questions with no response.

FINANCE noted finalization of the FY16 Budget, refining FY15 projections, addressing budget amendments, implementing a sink fund, compiling energy quotes, and updating the radio read system. Mayor Gover opened the floor for questions with no response.

PUBLIC WORKS updated Council on Broadway Avenue Alley project, upcoming asphalt patching, and preparation of agenda-approved work. Mayor Gover opened the floor for questions with no response.

FIRE Commissioner Hall updated Council on Engine 23 repairs and delay of repairs to Engine 21; and noted up to 29 employment applications for fire testing. Mayor Gover opened the floor for questions with no response.

POLICE updated Council on the new recruit in the Academy, aggressive enforcement of citizen cell phone usage while driving, and an increase of public nuisance citations by patrols; otherwise, business as usual. Mayor Gover opened the floor for questions with no response.

ARTS AND TOURISM noted the theatre production with four performances was well received with one additional performance this year; the Lone Elm Room's full calendar of events; preparation of Bagelfest and 4th of July activities; and completion of Lightwork processing. Mayor Gover opened the floor for questions with no response.

COMMENTS BY THE COUNCIL

Commissioners Cox, Graven, Hall had no further comments.

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 7:10 p.m.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

/s/ Susan J. O'Brien
City Clerk